

**UNITED STATES DISTRICT COURT**

**SOUTHERN DISTRICT OF NEW YORK**

**AMENDED SUMMONS IN A CIVIL ACTION**

ELIJAH CHISOLM,

**CASE NUMBER: 08 Civ. 4694**

Plaintiff,

v.

PRODUCERS RICE MILL, INC.,  
RAFI INDUSTRIES d/b/a CHICAGO  
SWEETENERS, INC., CSX CORPORATION  
and CSX TRANSPORTATION, INC.,

Defendants.

**TO: (Name and Address of Defendants)**

**ROBIN HARRIS KING & MODERA**  
Attorneys for Defendant/PRODUCERS RICE MILL, INC.  
1 Battery Park Plaza, 30<sup>th</sup> Fl, New York, New York 10004  
(914) 989-6638

**EUSTACE & MARQUEZ**  
Attorney for Defendant/RAFI INDUSTRIES d/b/a CHICAGO SWEETENERS, INC.  
1311 Mamaroneck Avenue, 3<sup>rd</sup> Floor, White Plains, New York 10605  
(914) 989-6650

**GOLDBERG SEGALLA LLP**  
Attorneys for Defendants/CSX CORPORATION, CSX TRANSPORTATION, INC.  
170 Hamilton Avenue, Suite 203, White Plains, NY 10601-1717  
914-285-8500

**YOU ARE HEREBY SUMMONED** and required to file with the Clerk of this Court and serve upon

**PLAINTIFF'S ATTORNEY (Name and Address):**

**ALTIER & VOGT, LLC**  
450 Seventh Avenue, 36th floor, New York, New York 10123  
(212) 564-9090

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

**J. MICHAEL McMAHON**

**AUG - 5 2008**

CLERK

DATE

BY DEPUTY CLERK

STATE OF NEW YORK )  
 ) SS.:  
COUNTY OF NEW YORK )

Michael Kelly, being duly sworn, deposes and says:

I am not a party to this action; I am over 18 years of age;  
I reside in Morris County, New Jersey.

On August 6, 2008, I served the within **AMENDED SUMMONS  
AND AMENDED COMPLAINT**, upon the following:

**ROBIN HARRIS KING & MODERA**

Attorneys for Defendant  
**PRODUCERS RICE MILL, INC.**  
1 Battery Park Plaza, 30<sup>th</sup> fl.  
New York, New York 10004  
Attn: Doreen Correia, Esq.  
914-989-6638 - Fax: 603-334-7689

**EUSTACE & MARQUEZ**

Attorneys for Defendant  
**TOTAL SWEETNERS, INC. d/b/a CHICAGO SWEETENERS, INC.**  
1311 Mamaroneck Avenue, 3<sup>rd</sup> floor  
White Plains, NY 10605  
914-989-6650 - Fax: 914-989-6638  
Attn: John R. Marquez (JM3623)

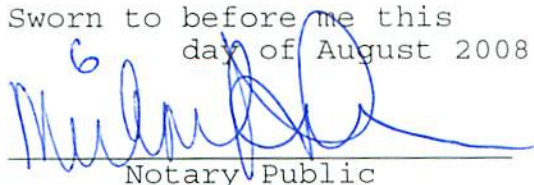
**GOLDBERG SEGALLA LLP**

Attorneys for Defendants  
**CSX CORPORATION, CSX TRANSPORTATION, INC.**  
170 Hamilton Avenue, Suite 203  
White Plains, NY 10601-1717  
914-285-8500 - 914-798-5400

the said addresses being designated by said attorneys for that purpose, by depositing a true copy of same enclosed in a postpaid, properly addressed wrapper in an official depository under the exclusive care and custody of the United States Postal Service, within the State of New York.

  
Michael Kelly

Sworn to before me this  
6 day of August 2008

  
Notary Public

**MICHAEL LEVINE**  
Notary Public, State of New York  
No. 02LE5038635  
Qualified in Nassau County  
Commission Expires Jan. 30, 2011